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***Attorneys for Plaintiffs Dell Inc. and Dell Products L.P.***

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

In re: CATHODE RAY TUBE (CRT)  
 ANTITRUST LITIGATION

Master File No. 3:07-md-05944-SC (N.D.  
 Cal.)

MDL No. 1917

This Document Relates to: Individual Cases:  
 No. 13-cv-2171 (SC)

*Dell Inc., et al. v. Hitachi Ltd. et al.*, No. 13-  
 cv-02171.

**DECLARATION OF MATTHEW D.  
 KENT IN SUPPORT OF DELL INC.  
 AND DELL PRODUCTS, L.P.'s  
 ADMINISTRATIVE MOTION TO FILE  
 DOCUMENTS UNDER SEAL**

1 I, **MATTHEW D. KENT**, declare as follows:

2 1. I am a senior associate with the law firm of Alston & Bird LLP, counsel for Plaintiffs  
3 Dell Inc. and Dell Products L.P. (collectively, "Dell") in the above-captioned action currently pending  
4 in the U.S. District Court for the Northern District of California. I submit this declaration in support of  
5 Dell's Administrative Motion to File Documents Under Seal, related to Dell's Motion to Partially  
6 Exclude the Expert Report and Opinions of Janusz A. Ordovery, Ph.D. ("Ordovery Motion"). I have  
7 personal knowledge of the facts stated herein, and I could and would competently testify thereto if  
8 called as a witness.

9 2. I am a member in good standing of the State Bar of Georgia and am admitted to practice  
10 before the U.S. District Court for the Northern District of Georgia. I have also been admitted to this  
11 Court *pro hac vice* as counsel for Dell pursuant to the Court's Pretrial Order No. 1 in the MDL  
12 Proceeding.

13 3. Pursuant to Civil Local Rules 7-11 and 79-5, and in accordance with this Court's  
14 General Order No. 62, effective May 10, 2010, Dell, by and through its counsel, respectfully request an  
15 Order permitting it to file under seal portions of Dell's Ordovery Motion and Exhibits A to F to the  
16 Declaration of Debra D. Bernstein in Support of Dell's Ordovery Motion ("Bernstein Declaration").

17 4. **Exhibit A** to the Bernstein Declaration is a copy of the April 15, 2014, Expert Report of  
18 Mohan Rao ("Rao Report"), designated by Dell as Highly Confidential. Exhibit A contains  
19 confidential, non-public information regarding Dell's business practices and Dell financial information.  
20 This includes the identification of Dell's suppliers and express references to the financial terms of  
21 certain confidential agreements with suppliers. Dell considers this information to be confidential and  
22 sensitive business information, the public disclosure of which would be harmful to Dell. In addition,  
23 Exhibit A contains excerpts from or references to materials designated by other parties as  
24 "Confidential" or "Highly Confidential" under a Protective Order.

25 5. **Exhibit B** to the Bernstein Declaration is a copy of the August 5, 2014, Expert Report  
26 of Janusz A. Ordovery, Ph.D., which is designated by Defendants as Highly Confidential. Exhibit B  
27 contains excerpts from Dr. Rao's April 15, 2014, Report regarding Dell's procurement of CDTs and the  
28 overcharges to Dell as a result of its purchases of CDT Monitors. Exhibit B also contains express

reference to prices Dell paid for CDTs. Dell considers this information to be confidential and sensitive business information, the public disclosure of which would be harmful to Dell. In addition, Exhibit B contains excerpts from or references to materials designated by other parties as “Confidential” or “Highly Confidential” under a Protective Order.

6. **Exhibit C** to the Bernstein Declaration contains excerpts from the Transcript of the September 16-17, 2014 Deposition of Dennis Carlton, Ph.D., designated by Defendants as Highly Confidential.

7. **Exhibit D** to the Bernstein Declaration contains excerpts from the Transcript of the September 4, 2014, Deposition of Janusz A. Ordovery, Ph.D., designated by Defendants as Highly Confidential.

8. **Exhibit E** to the Bernstein Declaration contains excerpts from the Transcript of the June 2, 2014, Deposition of Julie French as Dell Inc.’s and Dell Products L.P.’s Rule 30(b)(6) Witness, designated by Dell as Highly Confidential. Exhibit E includes information on Dell’s internal operations and processes with respect to CRT procurement, as well as the identification of suppliers. Dell considers this information to be confidential and sensitive business information, the public disclosure of which would be harmful to Dell.

9. **Exhibit F** to the Bernstein Declaration are the Objections and Responses by Plaintiffs Dell, Inc. and Dell Products, L.P. to Samsung SDI Mexico De C.V.’s First Set of Interrogatories, which Dell has designated pursuant to the Protective Order as Highly Confidential. The responses contain information regarding Dell’s internal processes and procedures, including the procurement system for CRT monitors. Dell considers this information to be confidential and sensitive business information, the public disclosure of which would be harmful to Dell.

10. Dell’s Ordovery Motion refers to or contains excerpts from the above Exhibits. These references or excerpts are identified in the Motion with yellow highlighting. An unredacted copy of the Motion with yellow highlighting is being submitted to Chambers.

11. Accordingly, Dell requests that the documents identified herein (or relevant portion thereof) be filed under seal.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct.

3 Executed on December 5, 2014, in Atlanta, Georgia.

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5 By: /s/ Matthew D. Kent  
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